

could have had that debate or not. So we have to assume that this is no different than any recreational center anywhere in the country. So if you can justify this one, you can justify any of them. And we simply can't afford that, and we shouldn't continue just to say, well, we have cut the number of earmarks or dollar value in half. I mean, we are trying to get back to fiscal sobriety here after a binge that took place for years, and I admitted that that binge was my party. But if we are trying to get back to sobriety, it doesn't count to say, all right, we are only going to drink half as much this year as we did before. That's just not acceptable.

This process is out of control. It remains out of control. And this earmark is a great example of that. If we can approve earmarks for this kind of thing, anything goes. Katy bar the door.

Mr. Chairman, I reserve the balance of my time.

Mr. LEWIS of California. Mr. Chairman, I move to strike the last word.

The Acting CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. LEWIS of California. Mr. Chairman, it was not my intention to speak on any of these earmarks, but the discussion that has gone on between the chairman and the gentleman from Arizona I was listening to upstairs, and it struck me that there needed to be some addition to this discussion.

The suggestion that earmarks exploded as of the time the control of the Congress changed in 1995 and began to expand, et cetera, et cetera, is accurate, accurate, but for reasons entirely different than the gentleman from Arizona either realizes or understands.

It is a fact that the other party controlled the Congress for 40 years, and over all those years their chairmen, their subcommittee chairmen, their very high-ranking Members around here with years and years of power had developed very solid relationships with the second and third level in the various agencies around this town. And there weren't earmarks; there were phone marks. Key staff and otherwise were instructed to call those second- and third-tier people within the agencies and let them know what they thought the priorities should be. There wasn't a need for legislative earmarks because phone marks had a very significant impact upon the process. And we tend to ignore that reality.

When the majority did change, the new majority found that that second and third level of bureaucracy weren't nearly as responsive to people with Rs after their name, or Republicans, and thus they began giving some specific direction as to what their priorities were, thus the term called "earmarks."

Further, I think the gentleman does his party a disservice by suggesting that this was our fault. The reality is that even the earmarks where they are represent in the neighborhood of 1 percent of all the discretionary spending available in the appropriations process,

and that while the Constitution says that appropriations should begin in the House of Representatives, to suggest that Members having ideas as to what priorities ought to be and even putting it in legislation is wrong, it seems to me, in connection with that, the gentleman is wrong.

Mr. Chairman, I yield back the balance of my time.

Mr. FLAKE. Mr. Chairman, how much time do I have remaining?

The Acting CHAIRMAN (Mr. WEINER). The gentleman from Arizona has 30 seconds remaining.

Mr. FLAKE. Mr. Chairman, let me just respond.

The truth is we went from about, as the chairman of the Appropriations Committee often points out, from zero earmarks in Labor-HHS to some 1,400 last week. Much of that was under my party.

I think Democrats are as much to blame probably as Republicans are. The difference is as Republicans, we pretend to stand for limited government. We should be saying this isn't what we should be doing. If the agencies are out of control, we need to rein them in through the oversight process rather than to try to compete with them in terms of wasteful spending.

The Acting CHAIRMAN. The time of the gentleman from Arizona has expired.

Mr. OBEY. Mr. Chairman, I move to strike the last word.

The Acting CHAIRMAN. The gentleman from Wisconsin is recognized for 5 minutes.

Mr. OBEY. Mr. Chairman, I had not intended to speak on this issue either, but I feel required to respond to one thing that the gentleman from Arizona said.

He indicated that it was too bad that he had only had 2 or 3 days during which time he could review the earmarks in this bill. I simply want to say if he feels badly about that and wants to know why that is the case, all he has to do is look in the mirror along with a number of his other colleagues.

Why do I say that? Because I tried about a month ago to make clear to the House that I thought the Appropriations Committee staff had had insufficient time to take a look at and screen a number of these earmarks, especially those that came early in the process. So I offered up another option, and what I proposed is that the committee simply be given more time to screen those earmarks, and that before the Congress adjourned in August, we would then publish all of them, and any persons who had doubts about them would have more than 30 days over the August recess, and our staffs could have reviewed each and every one of them for a much longer period of time.

The gentleman and others on that side of the aisle chose to belittle that proposal, suggesting that we were trying to, quote, "hide earmarks until conference." Not so. All we were trying

to do was to give the staff and any Members who were interested additional time in which to review those earmarks. Our friends on the other side decided that they would rather criticize than agree to that, and so we acquiesced in their desires to have earmarks in each bill as they came to the floor.

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We felt that there would be ample protection for Members because we also included a reform that would have required persons in the conference to be present and voting on every single item rather than having to endure what has happened in the past when large amounts of legislation were slipped into conference reports without a vote of the conference after the conference is over. But our judgment was not followed, and so as a result, we have this very limited time for Members to review projects as they come through in regular order. I'm sorry about that. But I would say to the gentleman, no one in this House can have it both ways. We've tried to accommodate the wishes of the House. Either way, we're doing the best we can. And if the gentleman doesn't like it, I think, as I say, all he has to do is look in the mirror because it was comments from people like him that required us to follow this procedure in this manner.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

The question was taken; and the Acting Chairman announced that the yeas appeared to have it.

Mr. FLAKE. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

AMENDMENT OFFERED BY MR. FLAKE

Mr. FLAKE. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. Without objection, the Clerk will report the amendment.

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. FLAKE:

At the end of the bill (before the short title), insert the following:

SEC. _____. (a) LIMITATION ON USE OF FUNDS.—None of the funds in this Act shall be available for the Walter Clore Wine and Culinary Center in Prosser, Washington.

(b) CORRESPONDING REDUCTION OF FUNDS.—The amount otherwise provided by this Act for "Department of Housing and Urban Development—Community Development Fund" (and specified for the Economic Development Initiative) is hereby reduced by \$250,000.

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.